

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) CASE NO. 3:19CR162-MOC-SCR
) (Financial Litigation Unit)
TARA D. SMITH,)
Defendant,)
and)
)
WON LIFE HOLDINGS LLC,)
Garnishee.)

WRIT OF CONTINUING GARNISHMENT

TO GARNISHEE: Won Life Holdings LLC
Attention: Payroll Department
P.O. Box 2620
Davidson, NC 28036

An Application for a Writ of Continuing Garnishment against property of the Defendant, Tara D. Smith, has been filed with this Court (Doc. No. 5). A judgment has been entered against the Defendant ordering restitution in the amount of \$91,389.00 and \$100 assessment. (Doc. No. 1-2). The outstanding balance is \$90,004.73, computed through November 30, 2023, and is due and owing. (Doc. No. 5).

You, as the Garnishee, are **required by law to answer in writing**, under oath, within ten (10) days of service of this Writ, whether or not you have in your custody, control, or possession any property or funds owned by the Defendant, including non-exempt, disposable earnings.

You must withhold and retain any property in which the Defendant has a substantial non-exempt interest and for which you are or may become indebted to the Defendant pending further order of the Court. This means that you should withhold twenty-five percent (25%) of the Defendant's disposable earnings which remain after all deductions required by law

have been withheld, or the amount by which the Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage, whichever is less. *See* 15 U.S.C. § 1673(a).

Please state whether or not you anticipate paying the Defendant any future payments and whether such payments are weekly, bi-weekly, monthly, annually or bi-annually.

You must file the original written Answer to this Writ within ten (10) days of your receipt of this Writ with the Court:

Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

Additionally, you are required by law to serve a copy of the Answer upon the Defendant at the Defendant's last known address:

Tara Smith
XXXXXX
Charlotte, North Carolina XXXXX

You are also required to serve a copy of the Answer upon the United States at the following address:

Financial Litigation Unit
United States Attorney's Office
227 West Trade Street, Suite 1650
Charlotte, North Carolina 28202

Under the law, there is property which may be exempt from this Writ of Garnishment. Property which is exempt and which is not subject to this order may be listed on the attached form, entitled "Claim for Exemption."

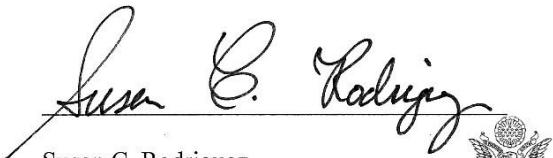
Pursuant to 15 U.S.C. § 1674, you, the Garnishee, are prohibited from discharging the Defendant from employment by reason of the fact that his earnings have been subject to garnishment for any one indebtedness.

Pursuant to 28 U.S.C. § 3205(c)(6), if you fail to answer this Writ or withhold property or funds in accordance with this Writ, the United States may petition the Court for an order requiring

you to appear before the Court to answer the Writ and to withhold property before the appearance date. If you fail to appear, or do appear and fail to show good cause why you failed to comply with this Writ, the Court shall enter a judgment against you for the value of the Defendant's non-exempt interest in such property. The Court may award a reasonable attorney's fee to the United States and against you if the Writ is not answered within the time specified. It is unlawful to pay or deliver to the Defendant any item attached by this Writ.

SO ORDERED.

Signed: December 4, 2023



Susan C. Rodriguez
United States Magistrate Judge

